

NGA Health Care Practice Taskforce Conference Meeting

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Early Efforts to Regulate Nursing Practice

- Evolved on a state by state basis to meet the needs of citizens of each state
- First nurse practice act in 1903 (NY, NJ, VA, NC)

Factors Influencing a Re-Look at Licensure - Mid 1990's

- Healthcare Delivery System Restructuring
- Technological Advances (Web)
- Consumerism
- PEW Taskforce on Health Care Workforce Regulation
- Emergence of Call Centers and Telephone Triage

Implications

- Consumers demand care when and where they want it
- Consumers demand to be included in decisions about their own healthcare
- Consumers are increasingly comfortable with technology – especially in the home (“aging in place”)

Evolution of Regulation

- Based on Tenth Amendment to the U.S. Constitution-a power given to the States
- Evolved state by state to meet the needs of the citizens of that state
- Legal authority to practice confined to the boundaries of state which issued license

Regulatory Issues

- State's Rights or Interstate Commerce Clause
- Does care occur at the location of the patient or the provider?
- Practice by electronic means does constitute the practice of nursing

Dilemma – What model of nurse licensure is best for the 21st century?

- Licensure remains state based
- Practice is not bound by state lines

Models Considered by NCSBN

- Reciprocity
- Fast endorsement
- Corporate credentialing (institutional licensure)
- Mutual Recognition (I.e., Driver's License model)
- Limited License for Telehealth

Delegate Assembly Actions

- 1994 - Task Force to Study Regulation
- 1995 – Regulation Task Force charged to consider models; Telecommunications Task Force authorized
- 1996 – Study Issue (magnitude of need, impact on state regulatory processes)
- 1997 – Endorsed mutual recognition model & at a special meeting approved the Nurse Licensure Compact (NLC)

NLC Policy Goal

Simplify governmental processes
and remove regulatory barriers to
increase access to safe nursing
care.

Mutual Recognition is...

A state based license, nationally recognized and locally enforced.

NURSYS®

- A comprehensive information system with data on all nurses (participating states)
- Historically used for discipline & verification
- Complete system activated 1/1/2000

Nursys

- Who is in Nursys?
- Nursys Advisory Committee & Business Design Task Force
- NCSBN owns Nursys, the NLCA uses Nursys to serve as its coordinated nurse licensure database and develops policies related to NLCA member use.

Nursys®

- A computer system that contains nurse license and license discipline information that is provided by boards of nursing in the United States and its territories.
- It receives regular updates of nurses' personal (name, address, etc.) and license information from boards of nursing. All boards of nursing, including non-participating boards, have access to information within Nursys®, and are able to enter and edit discipline information.

The purpose of Nursys®

- To provide centralized license information to boards of nursing that use it in the following ways:
 - 1.To verify applicant license information.
 - 2.To enter and review disciplinary actions.
 - 3.To send electronic communications between boards of nursing for information requests.
 - 4.NCSBN provides the public access to Nursys® for the purposes of licensure verification.

More on Nursys®

- **Information Contained in Nursys®**

Nursys® contains personal, licensure, education, verification, and discipline information supplied solely by boards of nursing.

- **State Laws for Restricted Information**

Some states restrict information that may be accessed by others. Nursys® complies with each state's requirements.

Nursys® Verification Request Application

- Is for nurses to provide license verification to a board of nursing.
- The application may be completed online with payment by credit card to post the verification immediately. A mail-in form is also available.

Nursys® Licensure QuickConfirm

- provides online detailed nurse license verification reports to employers and others.

States that contribute information to Nursys®

- AK
- AZ
- AR
- CO
- DE
- FL
- ID
- IN
- IA
- KY
- ME
- MD
- MA
- MN
- MS
- MO
- MT
- NE
- NH
- NJ
- NM
- NC
- ND
- OH
- OR
- SC
- SD
- TN
- TX
- UT
- VT
- VA
- WV-PM
- WI

Enacted Compact States

www.ncsbn.org

- Arizona
- Arkansas
- Delaware
- Idaho
- Iowa
- Maine
- Maryland
- Mississippi
- Nebraska
- New Hampshire
- New Mexico
- North Carolina
- North Dakota
- South Dakota
- South Carolina
- Tennessee
- Texas
- Utah
- Virginia
- Wisconsin

States Awaiting NLC Implementation

- Kentucky (June 2007)
- Colorado (October 2007)

NLC Supporters

- Emergency Nurses Association
- American Organization of Nurse Executives
- American Association of Occupational Health Nurses
- Citizen's Advocacy Center
- Several state nurse and hospital associations
- American Nephrology Nurses Association

NLC Supporters

- American Telemedicine Association
- Case Management Leadership Coalition
- Case Management Society of America
- Center for Telemedicine
- Telehealth Leadership Coalition
- U.S. Department of Commerce [\[1\]](#)
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[\[1\]](#) The U.S. Department of Commerce supported the NLC in speech to the American Telemedicine Association in 2003 and formally recognized NLC

NLC Evaluation Efforts

- 2 major evaluations of the NLC
 1. NCSBN conducted research in 2003
 2. NCSBN asked Gallup to conduct independent research in 2006

2006 Gallup Research on NLC

- Key positive findings
- NLCA found tremendous value in belonging to the NLC, citing increased collaboration among regulators, and as a benefit to their publics.
- Nurses overwhelmingly supported the idea of all states belonging to the NLC.
- Increasing mobility by nurses, which gives better access to nurses in times of disaster or other need.
- Many BoNs believed that the NLC sped up hiring processes and allowed for rapid licensure verification.

2006 Gallup Research on NLC

- Opportunities for improvement
- Improve communication regarding operations, administration and the costs associated with joining and maintaining the NLC.
- More information regarding discipline, investigations and data sharing in the NLC.
- Increase education to Board of Nursing staff, licensed nurses and other stakeholders regarding. *(A survey finding correlated to this request was that 50% of surveyed nurses erroneously thought they were part of the NLC, even though they did not reside in a NLC state).*
- Information regarding Nursys® (NLC coordinated nurse licensure database). Specific to duplicative records, frequency of data submissions and the number of boards participating.

Licensure Portability Grant

- Awarded to NCSBN on October 1, 2006 by the HRSA Office for Advancement (OAT) to promote licensure portability for telehealth
- NCSBN is focused on funding boards of nurses who want to implement the NLC or CBC
- Additionally, preparing information on union objections to the NLC, possible portability of CBCs, costs of NLC & CBC implementation, etc.

NCSBN Information

At our website:

<http://www.ncsbn.org>

Nurse Licensure Compact (section)

Nursys Licensure Verification (section)

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QUESTIONS????

& ANSWERS....

